

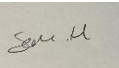
12 Portsdown Hill Road, Havant

Preliminary Ecological Appraisal Survey Report



19th August 2026

Document control

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Declaration	I confirm that the information provided in this document is truthful and accurate at the time of completion.	
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Executive summary

Purpose of report

- Evaluation of the Site's conservation status based on a desktop review that summarises information collated on protected species and nature conservation designations in the area.
- Assessment of habitat composition on site, derived from a UKHabitat 2.0 survey.
- Assessment of the likelihood of protected, or otherwise notable, species.

Context of report

The Site was comprised of a family home, a garage, two outbuildings, a residential garden and a belt of woodland. The proposed development and alterations to the site are as follows:

- Removal of the conservatory attached to the main building
- Removal of the two outbuildings
- Construction of two new dwellings
- Division of the current gardens and driveways to accommodate for new residential buildings
- Construction of a pedestrian access route

Methodology

- The existing ecological value of the site was assessed and potential ecological issues associated with the proposed development were identified.
- A desk study and UKHabitat 2.0 survey was carried out.
- Recommendations for general mitigation, compensation, enhancement and further surveys were made.

Further Survey & Mitigation

The following table summarises recommendations for further survey work or mitigation as appropriate

Feature / Species	Value or Potential	Recommendations
Designated Sites	INTERNATIONAL	Nutrient neutrality assessment required. Payment to Solent Recreation Mitigation Strategy
Habitats	SITE – LOCAL	Retained woodland should be protected during works.
Badgers	LOW	Preventative measures should be taken during construction including installing a ramp for excavations left overnight.
Bats (Roosting)	HIGH//LOW/NEG	No further recommendations as buildings with potential for roosting bats are likely to be unimpacted. If plans change, further surveys will be required.
Birds	High	Vegetation and building clearance to avoid nesting bird season (March – Aug) or be preceded by a nesting bird check.
Reptiles	LOW	A PWMS in unmanaged habitat on site.

Enhancements

Recommended enhancements include 2 bird, 2 bat and 2 invertebrate bricks. A Biodiversity Net Gain Assessment is not required for the development under the de minimis exemption.

1. Introduction

1.1. Background

- 1.1.1. In January 2026, Wessex Ecology Ltd was commissioned by Mr V Patel to undertake an ecological appraisal of 12 Portsdown Hill Road located on Portsdown Hill Road, Havant in Hampshire. The purpose of the survey was to provide an assessment of the current ecological conditions and to evaluate the ecological constraints to inform development proposals.
- 1.1.2. The purpose of this report was to identify key ecological constraints to inform the project planning such that significant ecological impacts are avoided or minimised. The report also aims to highlight any further ecological surveys that may be required to inform any future ecological reports so that they can be appropriately designed. Finally, the report aimed to provide the information required to develop appropriate mitigation or compensation measures.

1.2. Site Description

- 1.2.1. 12 Portsdown Hill Road and its grounds, hereafter referred to as 'the Site', measured approximately 0.19ha and was situated on Portsdown Hill Road, PO9 3JX which ran to the south of the Site (approximate OS grid reference: SU 69887 06554), see Figures 1 & 2 below.
- 1.2.2. The Site was comprised of a family home, a garage, two outbuildings, a residential garden and a belt of woodland.
- 1.2.3. The main house was a large family home that had been separated internally to create several flats and a conservatory on the ground floor. The garage was a simple building located to the east of the main house. To the west of the main house there was two outbuildings used as a workshop/storage.
- 1.2.4. At the time of writing, the proposed developments and alterations to the Site were as follows (Figure 3):
 - Removal of the conservatory attached to the main building
 - Removal of the two outbuildings
 - Construction of two new dwellings
 - Division of the current gardens and driveways to accommodate for new residential buildings
 - Construction of a pedestrian access route

Figure 1. Site location with red line boundary

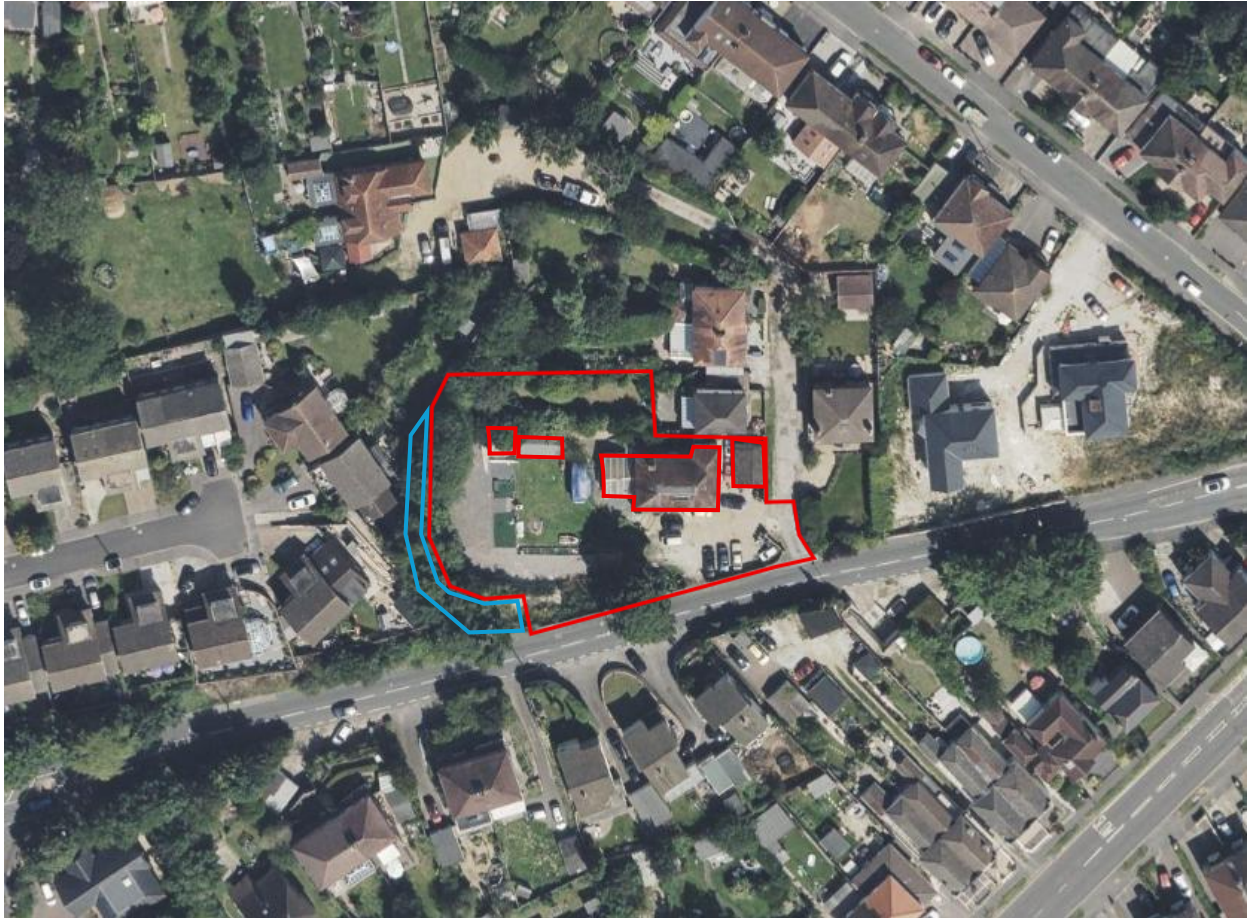


Figure 2. Landscape surrounding site of proposed development

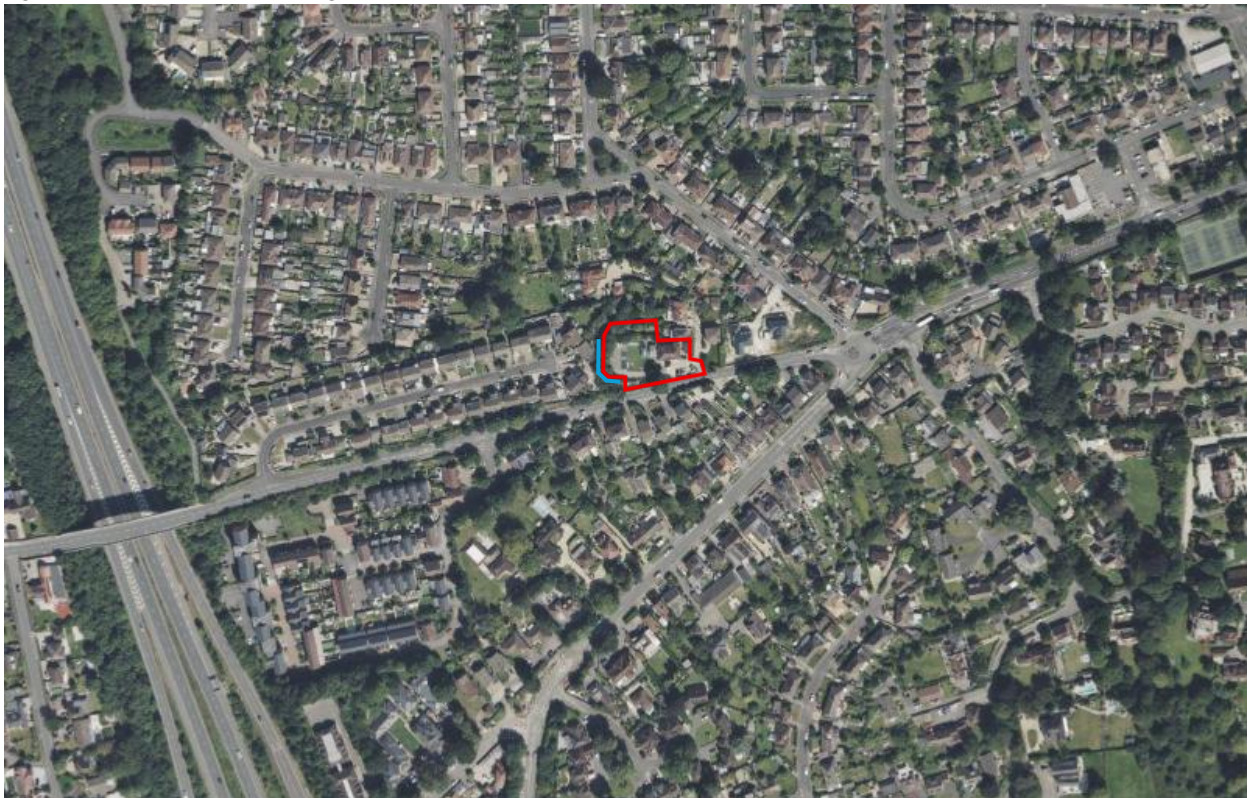
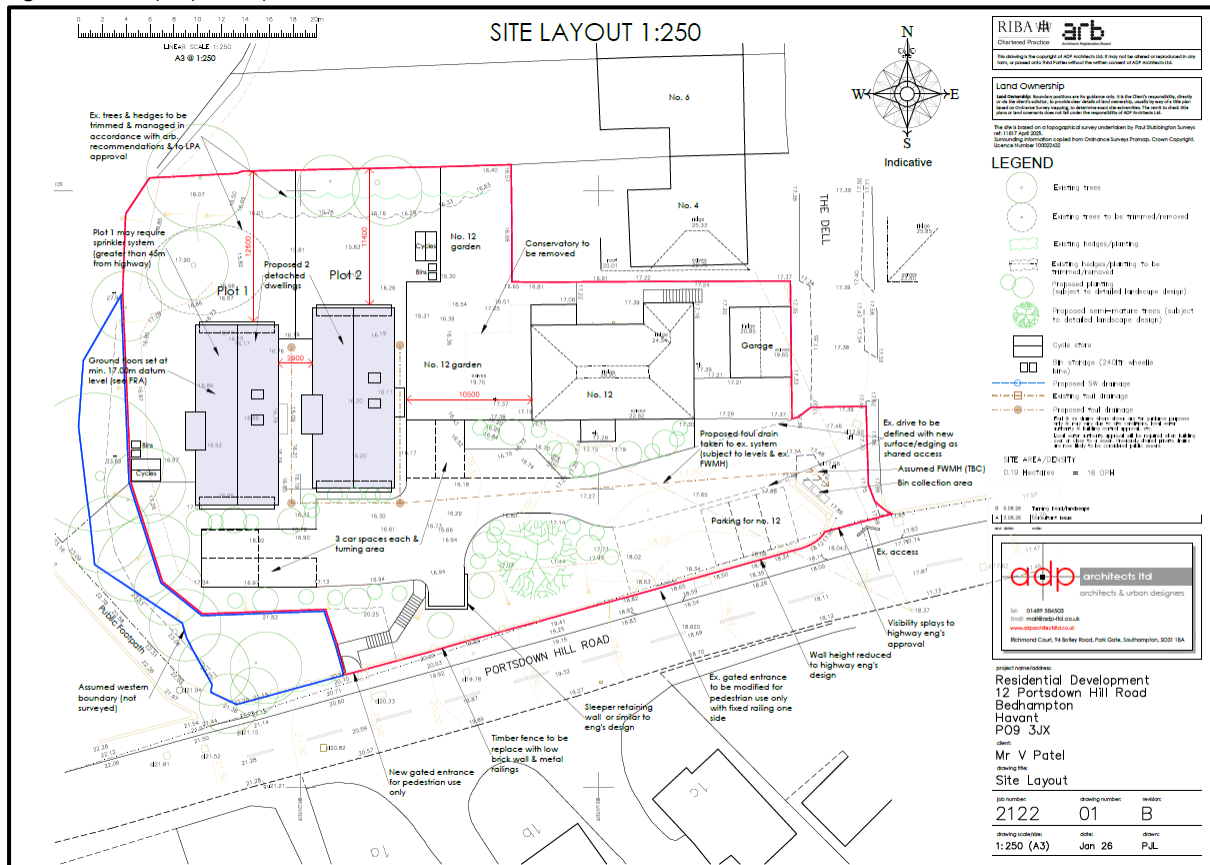


Figure 3. Draft proposed plans



2. Personnel

2.1. Desk study and report writing

2.1.1. Samuel Horner is an ecologist who leads preliminary roost assessments, supports bat emergence surveys and has experience with a range of field survey techniques. He is an experienced bat surveyor who works as an accredited agent under the Natural England Class 2 Licence 2025-86241-CL18-BAT.

2.2. Field survey

2.2.1. The field survey was carried out by Samuel Horner, see above credentials.

3. Planning and Legislation

3.1. Planning policies

3.1.1. This report is prepared with reference to the National Planning Policy Framework 2024, the Havant Borough Core Strategy 2011 and the Havant Borough Local plan (allocations) 2014.

3.2. Legislation

3.2.1. The following legislation informed the survey approach and considerations. Further details regarding specific legislation relevant to this project can be found in Appendix 3.

- Environment Act 2021
- Natural Environment and Rural Communities Act 2006
- Protection of Badgers Act 1992
- The Conservation of Habitat and Species Regulations 2017 (as amended)
- The Wildlife and Countryside Act 1981 (as amended)
- Wild Mammals (Protection) Act 1996

4. Methodology

4.1. Desk study

4.1.1. The following publicly accessible websites were searched for relevant ecological information:

- www.gridreferencefinder.com and www.google.com for aerial photography
- [The Multi Agency Geographic Information for the Countryside](#)
- [The Woodland Trust Ancient Tree Inventory](#)
- [GCN Risk Zone Maps](#)

4.1.2. Data relating to statutory & non-statutory sites and all protected and notable species records within 1km of the red line boundary was requested from the Hampshire Biodiversity Information Centre (HBIC).

4.1.3. The following data was collected from the MAGIC website:

- Waterbodies within 250m of the Site boundary
- Records of European Protected Species Licences (EPSLs)
- Statutory and non-statutory designated sites within 1km of the Site boundary
- Habitats of Principle Importance within 1km of the Site boundary

4.2. Field survey

4.2.1. A UKHab 2.0 habitat survey of the Site was undertaken with reference to the Chartered Institute of Ecology and Environmental Management's Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017).

4.2.2. The survey was conducted on the 2nd July 2026 by Samuel Horner. The weather conditions were sunny with an average temperature of 20°C.

- 4.2.3. During the survey, dominant plant species were recorded, and habitats were classified according to their vegetation types, as identified in the UKHab 2.0 UK Habitat Classification guidance. Target notes (TN) were taken to denote species and habitats of conservation interest and to describe the vegetation in areas that were too small to map. Evidence or habitat suitable for any legally protected species was recorded, where appropriate.
- 4.2.4. The presence of any Category 9 invasive non-native plant species was recorded.
- 4.2.5. The results are presented in the standard format with habitat descriptions and a UKHab 2.0 map created using QGIS, see Figure 6 below.
- 4.2.6. The Site was inspected for direct evidence and habitat suitability for protected and notable species. Attention was given to those species listed under The Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitat and Species Regulations 2017 (as amended) and The Protection of Badgers Act 1992. This included searching for signs of badger activity and habitats suitable for amphibians, bats, dormice, reptiles and if appropriate, otter and water vole or other protected or notable species.
- 4.2.7. If habitats suitable for protected species were identified, it may be necessary to undertake further seasonal surveys to confirm presence/absence. If no suitable habitats or features were identified, a UKHabitat 2.0 survey will be sufficient to determine the likely potential impacts associated for the proposed development.

4.3. Limitations

- 4.3.1. The data provided by the online resources were not exhaustive. It was possible that species and habitats not found in the data search occur within the vicinity of the proposed development site.
- 4.3.2. The details within this report will remain valid for a period of 18 months; beyond that date it is advised that a review of ecological conditions is undertaken.

5. Baseline Ecological Conditions

5.1. Desk study

- 5.1.1. The HBIC and MAGIC data search confirmed that there were zero statutory designated sites recorded within 1km of the Site. However, the Site does fall within a nutrient catchment as well as the 5.6km recreational zone for the Solent designated sites.
- 5.1.2. The HBIC data search confirmed that there were five non-statutory designated sites recorded within 1km of the Site, the details of which are in Table 1 and Figure 4 below.
- 5.1.3. The HBIC data search also supplied information relating to the Solent Wader and Brent Goose Strategy 2020 as well as sites from which these data sets were collected. The closest site relating to this strategy and data collation programme is ~500m from the site boundary. Figure 4 displays the locations of these designations relative to the site boundary.

Table 1. Non-statutory wildlife sites within 1km of the Site.

Designation	Name	Distance (m) and Direction from Site
LWS	Portsmouth City Golf Course Copse	900m west
LWS	Fields off Havant Road	700m southwest
LWS	Farlington Marshes Grassland (North-East)	990m south
LWS	Littlepark Wood (West)	900m northwest
LWS	Littlepark Wood (East)	600m northwest

- 5.1.4. The MAGIC data search confirmed there were parcels of priority habitat within 1km of the site but none within close proximity.
- 5.1.5. The MAGIC data search confirmed there was one bat EPSL granted within 1km of the Site. The bat licences covered common pipistrelle, *Pipistrellus pipistrellus*. The details of which can be found in Table 2, below.

Table 2. The details of EPSLs within 1km of the Site.

Case reference	Species	Distance (m) and direction from site
2014-1826-EPS-MIT	common pipistrelle	960m east

[illegible]

HbIC
Hampshire Biodiversity
Information Centre
HBIC Ref: 14525

**Priority habitats within
1km of 12 Portsdown Hill
Road, Havant, Hants PO9
3JX (SU6988706554):**

Some Habitats may overlap.
Please see 'UK Priority Habitats
Legend' for full Legend, there
is a link to this within
your covering letter

(see explanatory note for details of
the origin and accuracy of this data)

Legend

1km Search Area

Central Search Point

Created: 14/06/2026
Scale at A3: 1:9,000

Your licence to re-use expires on 14/06/2027

0 50 100 200 300 400 500
Meters

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Survey 100019180. Use of this data is subject to terms
and conditions.

5.1.6. Protected species records for the following taxa recorded within 1 km of the Site are set out in Table 3, below.

Table 3. Relevant species records within 1 km of the Site.

Species name	Number of records
Mammals	
badger	1
barbastelle	1
long-eared	4
common pipistrelle	100
hedgehog	26
Leisler's	3
myotis bat species	17
Nathusius's pipistrelle	1
noctule	22
serotine	14
soprano pipistrelle	47
Reptiles	
common lizard	6
slow worm	127

5.2. Habitats

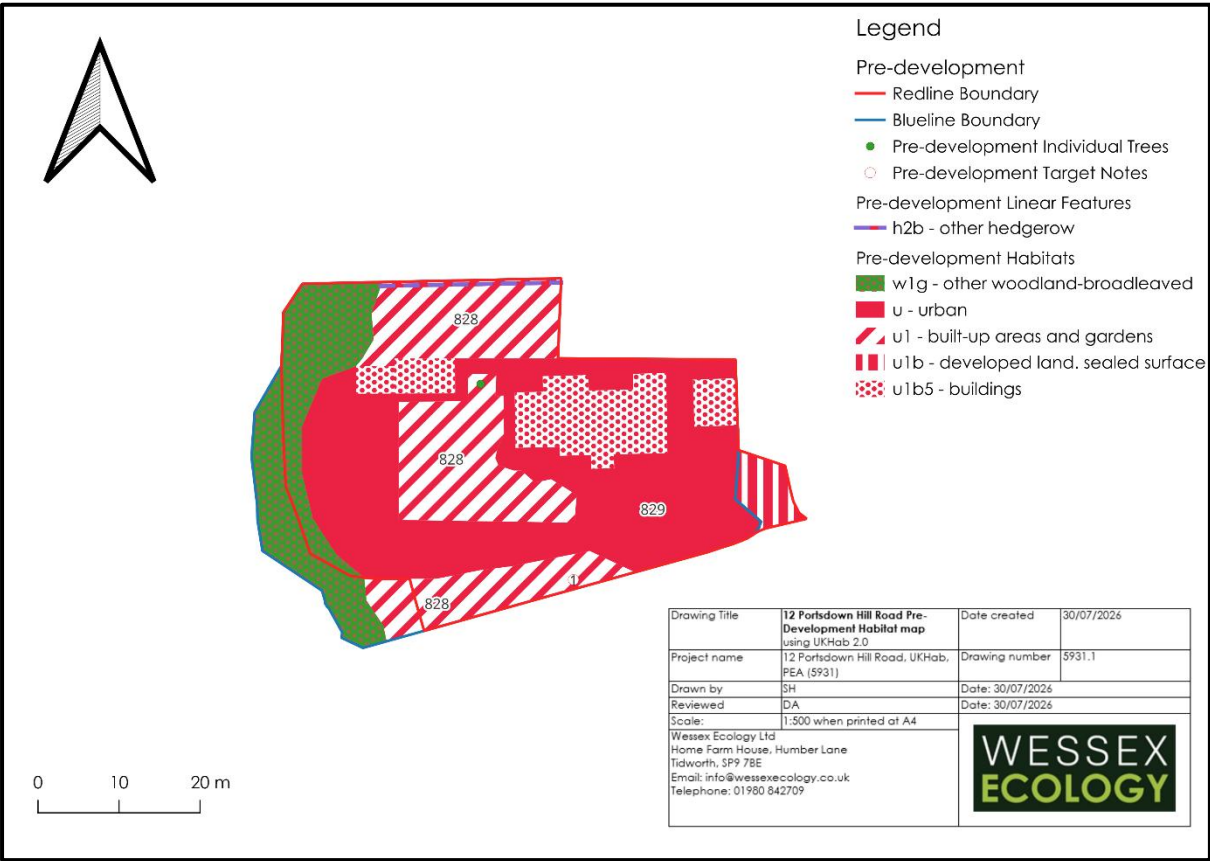
5.2.1. Habitat type and areas recorded on and adjacent to the Site are set out in Table 4, below. A UKHab 2.0 map of the Site is set out in Figure 6 below and site photos are appended.

5.2.2. No category 9 invasive plants were recorded within the survey area.

Table 4. UKHab 2.0 types recorded on or adjacent to the Site.

UKHabitat type	Species recorded	Percentage present
h2b – other hedgerow	-	-
u1 – 828 - urban built-up areas and gardens –vegetated garden	-	-
u1 – 829 - urban built-up areas and gardens – unvegetated garden	-	-
u1b – developed land, sealed surface	-	-
u1b5 - buildings	-	-
w1g - other broadleaved woodland	Sycamore - <i>Acer pseudoplatanus</i> Yew - <i>Taxus baccata</i> Beech – <i>Fagus sylvatica</i> Field Maple - <i>Acer campestre</i> Horse Chestnut - <i>Aesculus hippocastanum</i> Holm Oak - <i>Quercus ilex</i> Ash - <i>Fraxinus excelsior</i> Holly - <i>Ilex aquifolium</i>	20% 20% 10% 10% 10% 10% 10% 10%

Figure 6. Baseline UKHab 2.0 map of the Site with redline survey boundary.



5.3. Protected Species

5.3.1. The following sections discuss the potential for protected species on Site.

Species	Records	Assessment of Suitability	Assessment of Potential
Badgers	Yes	Grassland and scrub suitable for badgers. No setts identified on site.	LOW
Bats	Yes	Building suitable for roosting bats – see PRA details. Trees may provide opportunities for foraging and commuting but other habitat on Site provides little opportunity.	NEG to HIGH (roosting) LOW (activity)
Birds	Yes	Trees and hedgerow suitable for nesting birds Evidence of birds nesting in the outbuildings building. The site is not suitable for wading birds due to a lack of suitable habitat.	HIGH
GCN / Amphibians	No	The garden consists of large areas of gravel/rocky ground and little grassland. The grassland within the maintained garden is kept short and of poor quality. The grassland at the rear of the outbuildings is not maintained and is dominated by tall forbs and bindweed growing on waste ground. There are no suitable waterbodies within 250m, see figure 7 below. Unrecorded amenity ponds may be present within residential gardens, if so, they are unlikely to support amphibian communities and likely do not create a viable pond network.	NEGLIGIBLE
Reptiles	Yes	The grassland is regularly maintained to a short sward that is generally unsuitable for reptiles. There was waste ground at various locations across the site as well as poor quality shaded edge habitat. There are large numbers of slow-worms recorded within 1km, which can often be found within residential gardens.	LOW
Other Species	No	There is no potential on site for other protected species such as dormice, otter or water vole.	NEGLIGIBLE

Bats

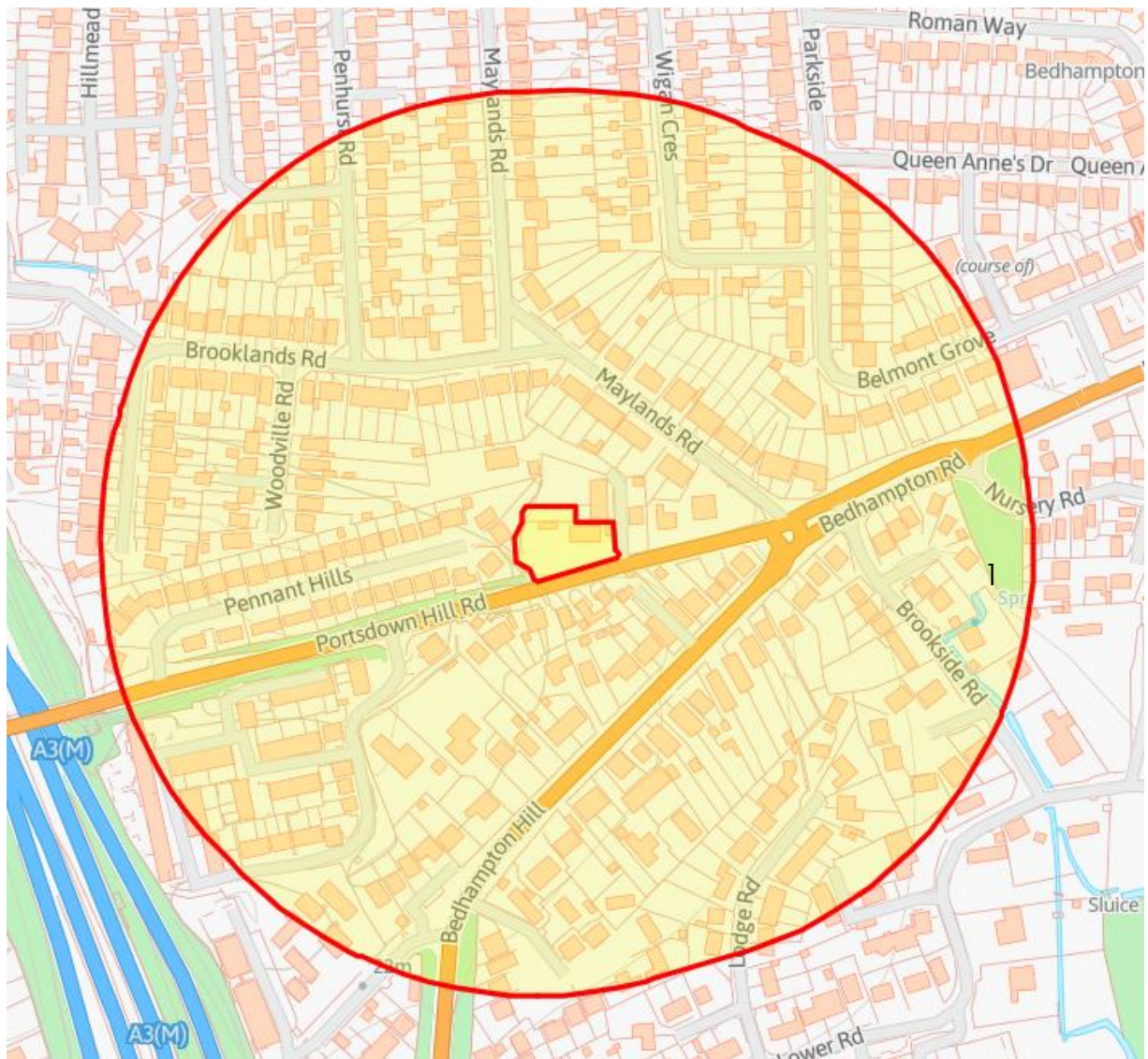
5.3.2. The buildings on Site were subject to a preliminary roost assessment (PRA), described in Table 5 below. B1 is classified as having high potential for roosting bats. B2 is classified as having a low potential for roosting bats. The outbuildings 3 and 4 are classified as negligible.

Table 5. Building inspection results

Building	External description	Internal description	Bat Roost Potential
Building 1 – Main House	<p>The building was half of a large family home with a conservatory attached to the west.</p> <p>The roof of the house was a hip with a few roof planes meeting at angles. The roof was clad with clay tiles. A moderate number of PRF were recorded in the roof structure where tiles had slipped, cracked or lifted. The hanging tiles on the southern elevation also offered similar PRFs.</p> <p>The eaves were enclosed with uPVC soffits and fascias which had been seam sealed. No PRF were recorded. The walls were constructed from rendered block and brick and over clad with wooden weatherboarding on the 1st floor. There were many access points between the weatherboarding and brick. No evidence of bats was recorded externally.</p> <p>The conservatory attached to the building was comprised of metal and glass and did not have any PRFs.</p>	<p>A single void was accessible within the roof. It was in good condition A few PRFs were recorded near the apex and within the internal roof structure. The underside of the roof was visible; this was constructed from type 1F felt.</p> <p>Light could be seen entering the roof void at the eaves where it had spilled into the void from the gaps around the weatherboarding on the 1st floor.</p> <p>No evidence of bats was recorded internally.</p>	HIGH
Building 2 – Garage	<p>A rectangular simple building with a pitched gable roof design. The roof was clad in concrete interlocking tiles. No PRFs were identified within the external roof structure.</p> <p>The eaves were clad with a timber fascia board. Access points were located at areas of damage.</p> <p>The walls were constructed of concrete blockworks. There was an area of damage on the northwestern corner where a potential access point is located.</p> <p>No evidence of bats was recorded externally.</p>	Access for an internal inspection was not granted.	LOW
Building 3 – Storage Outbuilding	Building 3 is an outbuilding used as a workshop and for storage. The roof is a pitched gable structure clad with	The underside of the roof is constructed with timber and OSB.	NEG

	<p>bituminous roofing felt. No PRFs were recorded. The walls are likely constructed of a timber frame clad with external wooden weather boarding. No PRFs were recorded. The door and windows were left open and create access areas for bats and birds.</p> <p>No evidence of bats was recorded externally.</p>	<p>The walls were clad internally with plaster and left exposed as timber framing in other areas. No suitable PRFs were recorded. No evidence of bats was recorded.</p>	
Building 4 – Workshop Outbuilding	<p>Building 4 is an outbuilding used for storage. The roofing structure is a flat lean-to design clad with bituminous roofing felt.</p> <p>The walls are constructed with concrete breeze block that has been clad with plaster and OSB/MDF.</p> <p>There was no door leaving a permanent access to the interior of the building. There was also gaps near around the eaves that could allow access for bats.</p> <p>No evidence of bats was recorded externally.</p>	<p>The underside of the roof is constructed with timber and OSB.</p> <p>The walls were not clad internally.</p> <p>No suitable PRFs were recorded. No evidence of bats was recorded.</p>	NEG

Figure 7. Waterbodies within 500m of the site



6. Evaluation, Potential Impacts & Recommendations

The assessment of potential impacts and recommendations is summarised in Table 6 and described in the sections further below.

Table 6. Protected species potential on Site and impact assessment.

Feature / Species	Value or Potential	Potential Impacts	Recommendations
Solent	INTERNATIONAL	Nutrient loading from new housing Recreational impacts from new dwellings	Nutrient neutrality assessment required Payment to Solent Recreation Mitigation Strategy
Habitats	SITE – LOCAL	Retained woodland and trees may be damaged during works	A tree survey report detailing best practice and root protection areas will be submitted as a separate report.
Badgers	LOW	Excavations pose a risk to commuting badgers on site	Preventative measures during works
Bats (Roosting)	HIGH & LOW	If bats present, works could impact on roosting bats	Works proposed that affect the roofing structure of Building 1 will require three bat emergence surveys. Works proposed that affect the roofing structure of Building 2 will require one bat emergence survey.
Bats (Activity)	MODERATE	New lighting may disturb bats using the site	Sensitive lighting should be implemented.
Birds	HIGH	Building removal and vegetation clearance may impact on nesting birds	The building and Vegetation will be removed to avoid nesting bird season (March – Aug) or be preceded by a nesting bird check.
GCN / Amphibians	NEGLIGIBLE	If GCN present, they could be impacted during works	None.
Dormice	NEGLIGIBLE	If dormice present, they could be impacted during works by accidental damage to retained habitats or through vegetation clearance.	None.
Reptiles	LOW	If present, reptiles could be killed or injured during works and a permanent loss of habitat.	A Precautionary Working Method Statement (PWMS) to be carried out during habitat removal

6.1. Designated nature conservation sites

- 6.1.1. Based on the distance of the designated sites from Site, it is highly unlikely that the proposed development will have a significant negative impact during the construction period on any nearby designated sites.
- 6.1.2. The development will require a nutrient neutrality assessment. If the Site will result in a net increase in nutrients, mitigation will be required.
- 6.1.3. The Site falls within the 5.6km zone of influence for which recreational impacts are considered to impact on the Solent designated sites. Mitigation will be provided through financial compensation to the Solent Recreation Mitigation Strategy which supports strategic mitigation in the area.
- 6.1.4. Solent Wader and Brent Goose Strategy site locations are at least ~500m from the site boundary. It is considered unlikely that the development would negatively affect the individual birds using the SWBGS data collation sites or to affect the sites themselves. It is considered to have a negligible impact due to a lack of suitable habitat for these species on site and is therefore likely not a satellite location that links to the wider habitat network. The distance of the site from the designated locations also diminishes the likelihood of negative impacts.

6.2. Habitats

- 6.2.1. The proposed development of the Site will result in the modification and loss of the Individual trees and vegetated gardens on site, of value only at the SITE level.
- 6.2.2. The retained woodland and trees are of value at the LOCAL level and will require protection during construction. Protective fencing will be erected and will encompass any root protection zones for retained trees. This will be detailed in a separate tree report.
- 6.2.3. Good practice measures will also be used during construction to control pollution including dust suppression measures, containment procedures for spillages and to contain runoff.

6.3. Fauna

- 6.3.1. Where potential for protected species has been identified on site, the evaluation, assessment of potential impacts and recommendations for further survey or mitigation is outlined below.

Badgers

- 6.3.2. Construction excavations may pose a risk to commuting badgers on Site. During works, excavation works should include a ramp installed as an exit route to prevent entrapment. Open pipework should be checked and covered nightly.

Bats

- 6.3.3. Building 1 has high potential for roosting bats. The current development proposal does not plan to affect the roofing structure or PRFs located at Building 1 with proposals only for the conservatory to be removed (which is unsuitable for bats). If these plans change to include developments of this nature three bat emergence surveys will be carried out. These surveys must take place between May and September, with two carried out before August and they must take place a minimum of three weeks apart.
- 6.3.4. Building 2 has low potential for roosting bats. The current development proposal does not plan to affect the roofing structure or PRFs located at Building 2. If these plans change to include developments of this nature one bat emergence surveys will be carried out. These surveys must take place between May and September, with two carried out before August and they must take place a minimum of three weeks apart.
- 6.3.5. Building 3 and 4 have negligible potential for roosting bats and no further surveys are recommended.
- 6.3.6. Any new external lighting will be sensitive towards bats and follow the recommendations of the Bat and 'Artificial Lighting in the UK' guidance note 08/23 produced by the Institute of Lighting Professions (ILP, 2023) in collaboration with the Bat Conservation Trust.

Birds

- 6.3.7. The Site had potential for nesting birds in the trees, hedgerow and the outbuildings on site. Clearance and demolition works should avoid the nesting bird season (March to August) or will need to be preceded by a nesting bird check by a suitably qualified ecologist prior to clearance.

Reptiles

- 6.3.8. The Site has LOW potential for reptiles, a PWMS is suitable as mitigation. All unmanaged vegetation will be removed in a staged clearance, initially to 15cm height and then to ground level after a period of at least 24 hours. Clearance will be supervised by a suitably qualified ecologist and must take place during the active season (April to September) during suitable conditions when night temperatures are consistently above 5°C and day temperatures are at least 10°C.
- 6.3.9. Removal of potential hibernacula such as loose paving slabs within the garden, waste/debris and dead foliage piles will be removed by hand. These works will be carried out under ecological supervision.
- 6.3.10. If any reptiles are found on site during site clearance the qualified ecologist will relocate them to a suitable location identified prior to the beginning of works.

6.4. Biodiversity Net Gain

- 6.4.1. The Site will not require a Biodiversity Net Gain assessment under the de minimis exemption.

6.5. Enhancements

- 6.5.1. The following enhancement measures should be implemented on site within the newly built dwellings:
- Two [integrated bat bricks](#) Installed at a height of at least 3m above the ground on a west facing building elevation.
 - Two [swift bricks](#) - Installed at a height of at least 3m above the ground on a west facing building elevation.
 - Two [insect bricks](#) - Installed at a height of 1.5m above the ground on a south facing tree or building elevation.

7. References

- CIEEM (2017) Guidelines for Preliminary Ecological Appraisal; CIEEM
- Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn.) The Bat Conservation Trust, London.
- English Nature (now Natural England) (2002) *Badgers and Development*; English Nature, Peterborough, UK
- Gent, T. & Gibson, S. (2003) *Herpetofauna Workers' Manual*; JNCC, Peterborough
- Gunnell, K., et al (2010) Designing for Biodiversity: A technical guide for new and existing buildings. (2nd edn). RIBA.
- Harris, S., Cresswell, P. & Jeffries, D. (1989) Surveying Badgers – An occasional publication of the mammal society – No. 9. Mammal Society, London
- HMSO (1981) The Wildlife and Countryside Act (as amended); London
- HMSO (1992) The Protection of Badgers Act; London
- HMSO (1994) Biodiversity: The UK Action Plan; London
- HMSO (2000) The Countryside and Rights of Way Act; London
- HMSO (2017) The Conservation of Habitats and Species Regulations (as amended); London
- HMSO (2021) The Environment Act; London
- Rose, F. (1981) *The Wild Flower Key*; Frederick Warne
- Rose, F. (1989) Colour Identification Guide to the Grasses, Sedges, Rushes and Ferns of the British Isles and North Western Europe; Viking
- UKHab Ltd (2023) UK Habitat Classification Version 2.0 (<https://www.ukhab.org/>)

8. Appendices

Appendix 1 – Site photographs

Photo 1 – Building 1 & 2. The driveway/unvegetated garden.



Photo 2 – View of building 1, southern elevation.



Photo 3 – Light leaks and access point within the void space of building 1.



Photo 4 – Access point at the northern elevation of building 2.



Photo 5 – Building 3 & 4 within the garden curtilage.



Photo 6 – Internal view of building 3.

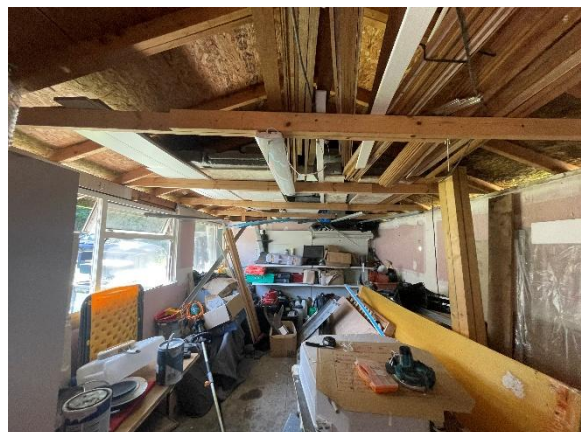


Photo 7 – Internal view of building 4.



Photo 8 – Old bird nest in building 4.



Photo 9 – Vegetated garden (Lawn).



Photo 10 – Vegetated garden (Unmanaged)



Photo 11 – Land at the top of the ridge along Portsdown Hill Road.



Photo 12 – Belt of other woodland growing on/atop of ridge.



Appendix 2 – Relevant legislation

Badgers

Badgers are protected under the Protection of Badgers 1992 and the Wildlife and Countryside Act 1981 (as amended).

This means it is an offence to;

- Wilfully kill, injure or take a badger (or attempt to do so)
- Cruelly ill-treat a badger
- Dig for a badger
- Damage a badger sett
- Destroy a badger sett
- Obstruct access to, or any entrance of a badger sett
- Causing a dog to enter a badger sett
- Disturbing a badger when it is occupying a badger sett

If it is necessary to disturb or destroy a badger sett as part of the proposed works, a licence to interfere with a sett may be required from Natural England.

Relevant link:

[Protection of Badgers Act 1992](#)

Birds

All wild birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended).

This means it is an offence to:

- Intentionally kill, injure or take wild birds
- Intentionally take, damage or destroy a wild bird's nest while it is being used or built
- Intentionally take or destroy a wild bird's egg
- Possess, control or transport live or dead wild birds, or parts of them, or their eggs
- Sell wild birds or put them on display for sale
- Use prohibited methods to kill or take wild birds

Birds under Schedule 1 of the Wildlife & Countryside Act 1981 (as amended) have extra legal protection and it is an offence to:

- Disturb them while they are nesting, building a nest, in or near a nest that contains their young
- Disturb their dependent young

Relevant link:

Bats

All bats in the UK are protected by law. They are protected under the Wildlife & Countryside Act 1981 (as amended) and European Directives under The Conservation of Habitats and Species Regulations 2017.

This means it is an offence to:

- Deliberately capture, injure or kill a bat
- Deliberately disturb a bat
- Damage or destroy a breeding site or resting place of a bat
- Possess or control a bat
- Transport a bat
- Sell or exchange a bat
- Offer for sale or exchange any bat, alive or dead, or any part of a bat.
- Intentionally or recklessly disturb a bat occupying a structure or place used for shelter or protection,
- Intentionally or recklessly obstruct access to any structure or place used for shelter or protection by bats.

Disturbance of animals includes disturbance which is likely to impair their ability to survive, breed or reproduce, rear or nurture their young, migrate or hibernate. It also includes any disturbance likely to affect significantly the local distribution or abundance of the species. Consequently, attention should be given to dealing with the modification or development of an area if aspects of it are deemed important to bats, such as flight corridors and foraging areas.

Subject to receiving planning approval, it may be necessary to apply for and obtain a European Protected Species Licence (EPSL) from Natural England under the conservation (Natural Habitats, &c) (Amendments) 2017 Regulations, to legally allow the proposed works to take place.

If a licence is required, no building works on the building must take place until an EPSL has been issued.

Relevant link:

[Bats and the law - Advice - Bat Conservation Trust](#)

Reptiles

The four more widespread reptile species in the UK (adder *Vipera berus*, common lizard *Zootoca vivipara*, grass snake, slow worm *Anguis fragilis*) are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded protection under Section 9(5) of the Act. Under this legislation, a person is guilty of an offence if he:

- Intentionally or recklessly kills or injures any reptile.

This legislation applies to all life stages.

Additional statutory protections for wildlife and biodiversity (which includes protected species, such as reptile species) are provided through the planning system, including:

- National Planning Policy Framework (NPPF) (2012); and
- UK and Local Biodiversity Action Plans

The smooth snake and sand lizard are also European Protected Species and are protected by European law under the Conservation of Habitats and Species Regulations 2017 (as amended). This means it is an offence to:

- Deliberately kill, injure, disturb or capture them
- Deliberately take or destroy their eggs
- Damage or destroy their breeding sites and resting places (including when the smooth snakes or sand lizards are not present)
- Possess, control or transport them (or any part, alive or dead)
- Sell, offer, or publish an advert to sell them

Relevant links:

<https://www.arc-trust.org/Handlers/Download.ashx?IDMF=1499a8cf-1f64-47fb-857f-2b7ff3c3003e>

<https://www.gov.uk/guidance/reptiles-advice-for-making-planning-decisions>